**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Civil Contempt Petition No. 91 of 2002**

Rajendra Bahadur Katiyar
and another ……. Petitioners

Versus

N. Ravi Shankar,
Secretary, Technical Education,
Government of Uttaranchal
Dehradun & others ……. Respondents

Mr. Rakesh Thapliyal, learned counsel for the petitioners.
Mr. Subhash Upadhyaya, learned counsel for the respondents.

**Hon'ble P.C. Pant, J.**

This civil contempt petition has been moved, under Section 12 of the Contempt of Courts Act, 1971 complaining the willful disobedience of the judgment and order dated 13.9.2000 passed in writ petition No. 32551 of 1995 by the Allahabad High Court.

2) The operative portion for the order complained, reads as under:

> *"In view of the above, it is directed that petitioners regularization orders dated 15.101998 and 28.8.1991 shall be deemed to the extent they relate to the petitioners to have come in force w.e.f. 22.3.1984 when Rule 9 of U.P. Regularisation of Ad hoc Appointments (on posts within the purview of the Public Service Commission) Rules 1979 came in force vide Notification dated 22.3.1984 and petitioners shall be deemed to have been regularized as lecturer and placed above all who were junior to them as ad hoc lecturers.*

*Petitioners shall also be entitled to all consequential benefits, advantages privileges etc. as may be available under relevant government orders including entitlement of revised pay scale (as may have been issued from time to time) annual increments seniority etc.*

*Writ petition is allowed subject the observation and directions given above.*

*No order as to costs."*

3) Heard learned counsel for parties and perusal the affidavit, counter affidavit and rejoinder affidavit filed by the parties.

4) Counter affidavit filed by the respondent No 3 shows that the compliance of the impugned order has already been made and copy of the order passed in pursuance of said order is annexed as Annexure- 1 to the counter affidavit of the respondent No. 3 by which the services of the petitioner has been regularised w.e.f. 22.03.1984, which is the spirit of the said judgment.

5) In the fact and circumstances and in view of the above development it cannot be said if the opposite parties have committed any willful disobedience of the order complained. Accordingly, the civil contempt petition is dismissed and notices are discharged.

**(P.C. Pant, J.)**

**Dt.: 15th October, 2004**
**HN**